

Docket No.: 0973/1B889-US3

**DECLARATION AND POWER OF ATTORNEY**  
(Continuation-In-Part Application)

As below named Inventors, we declare that:

1. The information given herein is true, and we believe that we are the original, first and sole inventor (if only one name is listed below), or joint inventors (if plural inventors are named below), of the invention entitled:

**SYSTEM AND METHOD FOR PROGRAMMABLE  
ILLUMINATION PATTERN GENERATION**

which is described and claimed in:

- ☐ the attached specification or
- ☒ the specification in application  
Serial No. 09/397,793  
Filed: 9/17/99  
(for declaration not accompanying application);

2. This application in part discloses and claims new subject matter as well as subject matter disclosed in an earlier-filed application(s).

This application is a continuation-in-part application of Application Serial No. 09/171,550, filed on October 26, 1998, corresponding to PCT International Application No. PCT/US97/08159, filed on April 24, 1997, which in turn is based on U.S. Provisional Application Serial No. 60/016,642, filed on April 25, 1996. Applicants hereby claim the priority of these prior applications pursuant to 35 U.S.C. §§ 119 and 120.

3. We acknowledge our duty to disclose information of which we are aware which is material to patentability in accordance with 37 C.F.R. §1.56, including such material information which occurred between the filing date of said earlier application and the filing date of this application.

4. We have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to herein.

5. As to the subject matter of this application which is common to said earlier application we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in any printed publication in any country before our invention thereof, or more than one year prior to said earlier application or in public use or on sale in the United States of America more than one year prior to said earlier application; said common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to said earlier application. As to the subject matter of this application which is common to said earlier application, we hereby claim the priority benefits under 35 U.S.C. 119 of any application(s) for patent or inventor's certificate listed below. All applications for patent or inventor's certificate on this invention filed by us or our legal representatives or assigns prior to the application(s) of which priority is claimed as to the common subject matter are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
U.S.	09/171,850	Oct. 26, 1998
U.S.	80/016,642	April 25, 1996

ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR  
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
PCT	PCT/US97/08159	April 24, 1997

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6. As to the new subject matter of the present application which is not common to said earlier application we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof or patented or described in a printed publication in any country before our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States of America more than one year prior to the date of the present application, and said matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to the date of this application. As to the new subject matter of the present application which is not common to said earlier application, we hereby claim the priority benefits under 35 U.S.C. 119 of any application(s) for patent or inventor's certificate listed below. All applications for patent or inventor's certificate on this invention filed by us or my legal representatives or assigns prior to the application(s) of which priority is claimed for the new subject matter are also identified below.

PRIOR APPLICATION(S), IF ANY, OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
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ALL FOREIGN APPLICATIONS, IF ANY, FILED PRIOR  
TO THE APPLICATION(S) OF WHICH PRIORITY IS CLAIMED

<u>COUNTRY</u>	<u>APPLICATION NO.</u>	<u>DATE OF FILING</u>
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**POWER OF ATTORNEY:**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark office connected therewith: Gordon O. Copple #18,185, William E. Doding, Jr. #20,888, Michael J. Sweedler #19,637, S. Peter Ludwig #29,351, Paul Fields #20,298, Marc S. Gross #19,614, Harold E. Wurst #22,183, Joseph B. Lerch #26,938, Melvin C. Gainer #26,272, Etan Horwitz #27,646, Beverly B. Gosselin #28,417, Adela C. Begoria #29,714, Martin E. Goldstein #20,868, Bert J. Lewen #19,407, Henry Sternberg #22,408, Robert A. Green #28,301, Peter C. Schechter #31,662, Robert Scheffer #31,194, Robert C. Sullivan, Jr. #30,499, Ira J. Levy #35,587, Joseph R. Robinson #33,448, Pierre R. Yandey #35,418.

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**FULL NAME AND RESIDENCE OF INVENTOR 1**

LAST NAME: Saul FIRST NAME: Michael MIDDLE NAME:

CITY: Fairwood STATE OR FOREIGN COUNTRY: NJ COUNTRY OF CITIZENSHIP: Germany

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**FULL NAME AND RESIDENCE OF INVENTOR 2**

LAST NAME: Chiu FIRST NAME: Chiu MIDDLE NAME: Wo

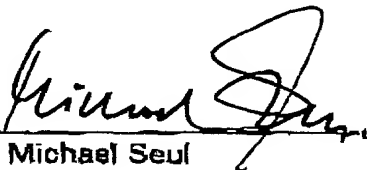
CITY: Edison STATE OR FOREIGN COUNTRY: NJ COUNTRY OF CITIZENSHIP: US

POST OFFICE ADDRESS: 16 Whitehall Avenue CITY: Edison STATE OR COUNTRY: NJ ZIP CODE: 08820

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We further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


SIGNATURE OF INVENTOR 1:

  
Michael Seul

DATED:

12-10-99

SIGNATURE OF INVENTOR 2:

  
Chiu Wo Chau

DATED:

12/10/99

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: SEUL, Michael and CHAU, Chiu Wo  
Serial No.: 09/397,793  
Filed: September 17, 1999  
For: **SYSTEM AND METHOD FOR PROGRAMMABLE PATTERN  
GENERATION**  
Examiner: P. Do (Group Art Unit 1641)

**REVOCATION OF POWERS OF ATTORNEY AND  
APPOINTMENT OF NEW POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

For the above-referenced application, the undersigned revokes all previous Powers of Attorney and appoints Julie Bowker, Registration No. 37,870, as their principal attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all future correspondence to :

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Respectfully Submitted,

Bioarray Solutions, LLC (Assignee)

By: Michael Sear Date: 11-21-00.

Name: Michael Sear

Title: CEO.